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Attorneys for Defendant
QUEST DIAGNOSTICS INCORPORATED

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

MEDSQUIRE, LLC

Plaintiff,

vs.

SPRING MEDICAL SYSTEMS, INC.
et al.,

Defendants.

Case No. CV11-4504-JHN (PLAx)

**JOINT STIPULATION TO
CONTINUE THE HEARING ON
DEFENDANT QUEST
DIAGNOSTICS, INC.'S
MOTION AND MOTION TO
DISMISS UNDER FED. R. CIV. P.
12(b)(6)**

Old Date: August 22, 2011

New Date: September 12, 2011

Time: 2:00 p.m.

Courtroom: 790

Judge: Hon. Jacqueline H. Nguyen

1 **WHEREAS** on July 18, 2011, Defendant Quest Diagnostics Incorporated
2 (“Quest”) filed a Motion to Dismiss Plaintiff Medsquire LLC’s (“Plaintiff” or
3 “Medsquire”) Complaint under Fed. R. Civ. P. 12(b)(6) for failure to state a claim
4 (Doc. No. 41) (“Motion”), which is incorporated herein by reference;

5 **WHEREAS** the hearing on the Motion was previously noticed for August 22,
6 2011, at 2:00 p.m. to be heard in the Courtroom of the Hon. Jacqueline H. Nguyen,
7 located at Courtroom 790, Roybal Federal Building, 255 East Temple Street, Los
8 Angeles, CA 90012 (*see* Doc. No. 41);

9 **WHEREAS** various defendants have joined the Motion¹;

10 **WHEREAS** on August 1, 2011, Plaintiff filed an Opposition to the Motion
11 (Doc. No. 65);

12 **WHEREAS** counsel for Plaintiff has requested that the hearing be rescheduled
13 as he is scheduled to be out of the country on August 22, 2011, and counsel for Quest
14 has agreed to reschedule;

15 **WHEREAS** the Court’s next available hearing date after August 22, 2011, is
16 September 12, 2011; and

17 **WHEREAS** Quest filed a re-notice of the hearing date on August 8, 2011 (Doc.
18 No. 66) but is informed that a stipulation and proposed order are necessary,

19 **THEREFORE**, Medsquire and Quest, through their respective counsel, hereby
20 stipulate to and request this Court to continue the hearing on Quest’s Motion to
21 Dismiss to Monday, September 12, 2011, at 2 p.m.

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26 ¹ The defendants joining in Quest’s motion are Hewlett-Packard Company, Nextgen
27 Healthcare Information Systems, Henry Schein Medical Systems, EClinical Works,
28 Med3000, Pulse Systems, Compulink Business Systems, Navinet, SucessEHS,
AthenaHealth, and Aprima Medical Software.

Respectfully Submitted,

Dated: August 8, 2011

HENNIGAN DORMAN LLP

By: /s/ Larry M. Hadley

Larry M. Hadley
Attorney for Plaintiff
MEDSQUIRE, LLC

BAKER & McKENZIE LLP

By: /s/D. James Pak

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QUEST DIAGNOSTICS INCORPORATED